



Va. Code Ann.

§ 22-7. *Joint schools for counties or for counties and cities or towns.*—The school boards of counties or of counties and cities, or of counties and towns operating as separate special school districts, may, with the consent of the State Board, establish joint schools for the use of such counties or of such counties and cities or of counties and towns operating as separate special school districts, and may purchase, take, hold, lease, convey and condemn, jointly, property, both real and personal, for such joint schools. Such school boards, acting jointly, shall have the same power of condemnation as county school boards except that such land so condemned shall not be in excess of thirty acres in a county or city for the use of any one joint school. The title of all such property acquired for such purposes shall vest jointly in such school boards of the counties or counties and cities or counties and towns operating as separate special school districts in such respective proportions as such school boards may determine, and such schools shall be managed and controlled by the boards jointly, in accordance with such rules and regulations as are promulgated by the State Board. However, such rules and regulations in force at the time of the adoption of a plan for the operation of a joint school shall not be changed for such joint school by the State Board without the approval of the local school boards.

§ 22-30. *How division made.*—The State Board shall divide the State into appropriate school divisions, in the discretion of the Board, comprising not less than one county or city each, but no county or city shall be divided in the formation of such division.

§ 22-34. *When school boards to meet jointly to appoint superintendent.*—When a school division is composed of a city and one or more counties, or two or more counties, the school boards composing the division must meet jointly and a majority vote of the members present shall be required to elect a superintendent.

§ 22-42. *Counties and magisterial districts as school districts.*—Each magisterial district shall, except where otherwise provided by law, constitute a separate school district for the purpose of representation. For all other school purposes, including taxation, management, control and operation, unless otherwise provided by law, the county shall be the unit; and the school affairs of each county shall be managed as if the county constituted but one school district; provided, however, that nothing in this section shall be construed to prohibit the levying of a district tax in any district or districts sufficient to pay any indebtedness, of whatsoever kind, including the interest thereon, heretofore or hereafter incurred by or on behalf of any district or districts for school purposes.

§ 22-43. *Special districts abolished; exceptions; certain towns may be constituted separate districts.*—All special school districts and special town school districts except the special school district for the town of Lexington of Rockbridge County and the town of Bedford of Bedford County and the town of Fries of Grayson County, which are hereby preserved, are hereby expressly abolished, except the special town school district for the town of Kilmarnock in Lancaster County and all those special town school districts which have heretofore been established by and with the approval of the State Board, which are hereby expressly continued for the purpose for which established; provided, however, that the town of Herndon of Fairfax

County and the town of Colonial Beach of Westmoreland County, and incorporated towns having a population of not less than three thousand five hundred inhabitants, according to the last United States census, may, by ordinance of the town council and by and with the approval of the State Board, be constituted separate school districts either for the purpose of representation on the county school board, or for the purpose of being operated as a separate school district under a town school board of not less than three nor more than five members, appointed by the town council. In the event that such a town district be set up, to be operated by a board of three members, the members of such board shall be appointed in accordance with § 22-89, providing for the appointment of trustees in cities and of such members, one shall be designated by the town school board as a member of the county school board and entitled to serve as a member of the county board.

BOARDS OF CITIES AND TOWNS

§ 22-89. *Appointment and term.*—The council of each city except as otherwise provided by the city charter shall, on or before July first, nineteen hundred and thirty, appoint three trustees for each school district in such city, whose term of office shall be three years, respectively, and one of whom shall be appointed annually. The first appointment hereunder shall be one for one year, one for two years, and one for three years, beginning July first, nineteen hundred and thirty, and thereafter all appointments shall be for three years. If a vacancy occurs in the office of trustee at any time during the term, the council shall fill it by appointing another for such part of the term as has not expired. Within thirty days preceding the day on which the term of such trustees shall expire by limitation, and within the like number of days preceding the day on

which the term of any trustee shall expire by limitation in any subsequent year, such council shall appoint a successor to each such trustee in office, whose term shall commence when the term of predecessor shall have expired; provided, the office of any such trustee has not been abolished in redistricting the city; and, provided, that in the city of Norfolk the trustees shall be appointed in accordance with the provisions of § 22-89.1 rather than in accordance with the provisions of the city charter, and provided, further, that the common council of the city of Winchester shall select and appoint the school trustees for said city, and that in all other respects the provisions of this section shall apply to the city of Winchester. All acts heretofore done by the school board of the city of Winchester are hereby validated.

§ 22-99. *When city contracts with county to furnish facilities.* In the event that a city through authority granted in its charter enters into contract with the county school board of the adjacent county for furnishing public school facilities for the city where the county and city are constituted as one school system for the establishment, operation, maintenance and management of the public schools within the county and city, the school board of the county shall consist of one representative from each magisterial district of the county and each magisterial district (or ward) of the city, such incumbent to be appointed by the county school trustee electoral board, as provided by § 22-61; provided further that the members of the county school board representing the city shall be selected from a list of three citizens from each district (or ward) to be submitted by the city council of the city; any other law to the contrary notwithstanding.

BOARDS OF DIVISIONS COMPRISING TWO OR MORE
POLITICAL SUBDIVISIONS

§ 22-100.1. *Single school board authorized.*—When the State Board of Education has created a school division, composed of two or more counties or one or more counties with one or more cities, the supervision of schools in any such school division may be vested in a single school board under the conditions and provisions as hereinafter set forth.

§ 22-100.2. *How board established.*—The school boards of such counties, county and city or counties and cities, comprising such school division, by a majority vote, may, with the approval of the governing bodies of such counties, or counties and cities, and the State Board of Education, establish such division school board in lieu of the school boards as at present constituted for the counties, county and city or counties and cities of such school division. Provided, however, that no such division shall be created which includes a county in which there is located a town operating as a separate school district.

§ 22-100.3. *How composed; appointment and terms of members; vacancies.*—Such division school board shall be composed of not less than six nor more than nine trustees, with an equal number of members from each county or city of the division and with a minimum board of six members, who shall be appointed by the county board of supervisors for a county and the city council for a city. Upon the creation of such school division there shall be appointed by the appropriate appointing bodies the required number of members to the division school board who shall serve until the first day of July next following the creation of such division. Within sixty days prior to that day each

appointing body shall appoint the required number of members of the division school board as follows: If there be three members, one shall be appointed for a term of two years, one for a term of three years, and one for a term of four years; if there be four members, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, and one for a term of four years. Within sixty days prior to the first day of July in each and every year thereafter there shall be appointed by the appropriate appointing body for a term of four years beginning the first day of July next following their appointment, successors to the members of the division school board for their respective counties or cities, whose terms expire on the thirtieth day of June in each such year. The exact number of trustees for a county or city shall be determined by the governing bodies concerned within the limits above provided. Any vacancy occurring in the membership of the division school board from any county or city shall be filled for the unexpired term by the appointing body of such county or city. The governing bodies concerned shall jointly select for a term of four years one person who shall be a member of the division school board only for the purpose of voting in case of an equal division of the regular members of the board on any question requiring the action of such board. Such person shall be known as the tie breaker.

If the governing bodies are not able to agree as to the person who shall be the tie breaker, then upon application by any of the governing bodies involved to a circuit court having jurisdiction over a county or city embraced in such school division, the judge thereof shall name the tie breaker and his decision shall be final.

